

OPINION
46-127

September 9, 1946 (OPINION)

ESTATES OF DECEASED

RE: Relatives-in-law Are Not Heirs

This office is in receipt of your letter of August 26, 1946, in which you inquire whether a sister-in-law is an heir of her brother-in-law. I assume that the lady you have in mind is a widow and that the estate mentioned in your letter is the estate of a deceased brother of her husband.

Since the deceased "brother" mentioned in your letter was a single man his parents, if living, and his brothers and sisters are his heirs. If he had a brother or sister who preceded him in death, their children, if any, would inherit the share of their parents, but a sister-in-law is not an heir of a brother-in-law who dies intestate, for there is no blood relation between them.

NELS G. JOHNSON

Attorney General